# Exhibit 6

1001 College Court (28562) Post Office Box 867 New Bern, NC 28563-0867 P: 252.672.5471 F: 252.672.5477 apd@wardandsmith.com

April 18, 2022

#### <u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

<u>VIA EMAIL</u> (info@joinforma.com)

Mr. Jason Fan, CEO Twic, Inc. 47000 Warm Springs Blvd, Ste 1-170 Fremont, California 94539

RE: FORMA Rebrand

Our File 220428-00003

Dear Mr. Fan,

We represent Forma AI Inc. ("Forma"), an international sales performance and management solutions company and provider of the FORMA.AI software platform.¹ It recently came to our client's attention that (i) on February 15, 2022 Twic, Inc. ("Twic") applied to register FORMA with the U.S. Patent and Trademark Office ("USPTO") in relation to an employee benefits software platform (U.S. Serial Number 97/268,559) ("Application") and (ii) on March 8, 2022 publically announced its rebrand from Twic to Forma.² The purpose of this letter is to (a) advise Twic that use of the FORMA name in the proposed manner violates Forma's pre-existing trademark rights, and (b) reach out to structure discussions around transitioning Twic away from the Forma name in a commercially reasonable manner, including withdrawing the Application.

Forma is the exclusive owner of the FORMA.AI mark in connection with business consultation, business collaboration services, and software services in the field of sales performance and compensation management, including sales territory design, quota management, employee loyalty, revenue productivity, and benchmarking practices ("Services"). Forma has used the FORMA.AI mark in connection with the Services since at least as early as 2016, and in commerce throughout the U.S. in relation to its business services and software platform since at least as early as October 2017 and September 2018, respectively. As a result of Forma's longstanding, continuous use of the FORMA.AI mark,

<sup>1</sup> See Form AI Inc.'s website, available via https://www.forma.ai/.

<sup>&</sup>lt;sup>2</sup> See Twic's March 8, 2022 announcement, available at https://www.joinforma.com/resources/twic-rebrands-forma-transforming-employee-benefits.

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the FORMA.AI mark has become exclusively associated with Forma and represents substantial, valuable goodwill. Forma applied to federally register its rights in the FORMA.AI name on April 1, 2022 (U.S. Serial Numbers 97/342,971 and 97/342,837).

Twic's use of the FORMA mark for employee management software services has caused,<sup>3</sup> and is likely to continue to cause, consumer confusion and violates Forma's pre-existing trademark rights.<sup>4</sup> While we can appreciate the industry focus on employee *benefits* management versus employee *performance and compensation* management, the compared services need not be identical or even competitive for purposes of finding a likelihood of confusion under trademark law – only a degree of relatedness between the compared services can cause marketplace confusion, particularly given the identical use of the wording FORMA. The business services and software services marketed by Twic on the joinforma.com website are highly related to Forma's Services. As a result, Forma is justifiably concerned that consumers have been – and will continue to be – confused – e.g., that consumers will falsely believe that Twic's platform is associated with Forma's services and platform or that Twic's platform is a new expansion of Forma's existing services and platform.

Therefore, Forma must request that Twic reconsider its decision to rebrand to the FORMA mark, including, but not limited to:

- 1. Ceasing use of the FORMA mark and any other designations likely to cause confusion with the FORMA.AI mark;
- 2. Abandoning the pending Application to register the FORMA mark; and
- 3. Relinquishing or transferring to Forma the domain name joinforma.com and any other social media accounts or handles incorporating the word "forma."

Forma further requests that Twic contact us with written confirmation of Twic's willingness and plans for a commercially reasonable transition strategy to move away from the Forma name no later than **Friday**, **April 29**, **2022**. Forma is prepared to take the steps necessary to protect its valuable trademark rights, but prefers to resolve this matter in a reasonable and amicable manner.

<sup>3</sup> Medhealth Outlook posted about Twic's rebrand on LinkedIn's platform tagging Forma, which creates the false belief that Twic and Forma are somehow associated. https://www.linkedin.com/posts/medhealth-

outlook forma-raises-40-million-in-series-b-plans-activity-6907803329532186625-

<sup>4</sup> We enclose a screenshot of the Application and screenshot from the infringing website, Exhibits B and C.

 $yGdY/?utm\_source=linkedin\_share\&utm\_medium=member\_desktop\_web,\ Exhibit\ A.$ 

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The above is not an exhaustive statement of all of the relevant facts and law. All rights and remedies, including without limitation the right to sue for trademark infringement pursuant to the Lanham Act 15 U.S.C. § 1051 et. seq., are expressly reserved by Forma AI Inc.

Yours truly,

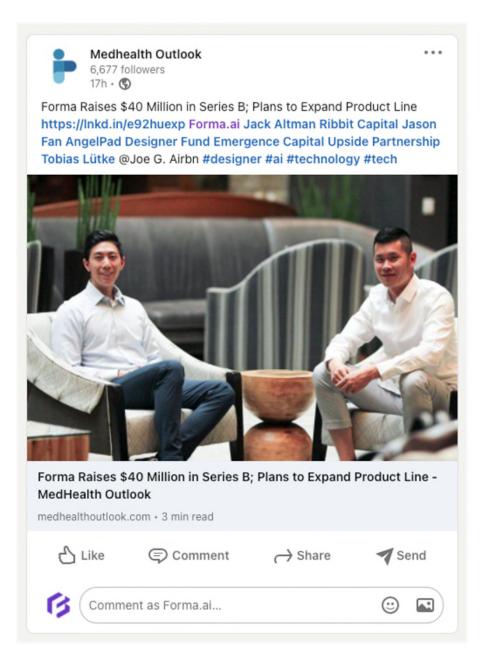
/Angela P. Doughty/

Angela P. Doughty

cc: Erica B. E. Rogers (via email)

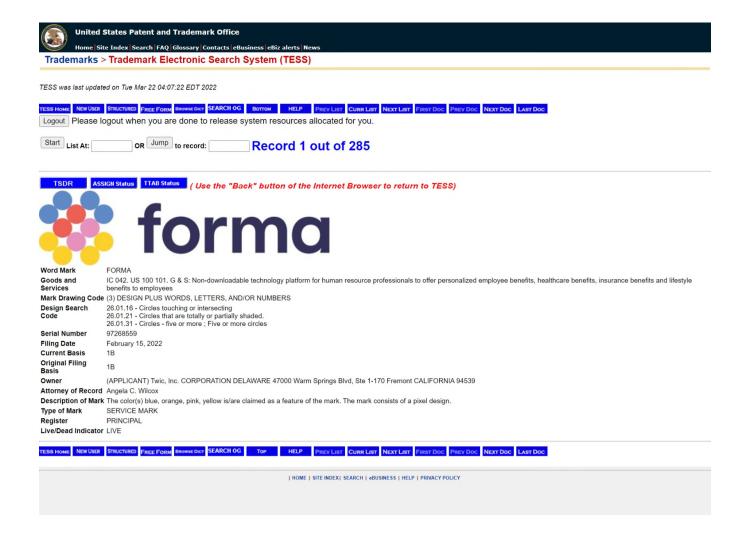
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#### Exhibit A



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#### Exhibit B



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Exhibit C https://www.joinforma.com/why

